

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:13-CV-000409 BSM

**\$17,693,837.10 FROM JOHN HANCOCK
LIFE INSURANCE POLICY NO. XXX6473
(the “HANCOCK POLICY”) et al.**

DEFENDANTS IN REM

**RESPONSE AND ANSWER OF ONE BANK & TRUST, N.A.
TO VERIFIED COMPLAINT IN REM**

Comes One Bank & Trust, N.A. (“**One Bank**”) and for its Response and Answer to the Verified Complaint *in Rem* (the “**Complaint**”) filed herein by Plaintiff United States of America (“**Plaintiff**”) states:

1. One Bank believes the statements contained in Paragraph 1 of the Complaint to be true and accurate in all material respects and, therefore, admits Paragraph 1 of the Complaint.

2. One Bank admits that this Court has jurisdiction over this matter, and accordingly, admits Paragraph 2 of the Complaint.

3. One Bank admits that venue is proper in this District, and accordingly, admits Paragraph 3 of the Complaint.

4. One Bank states that the allegations contained in Paragraph 4 of the Complaint as more fully explained in the Affidavit are true and correct in all material respects. Accordingly, One Bank admits the allegations in Paragraph 4 of the Complaint. One Bank further states and alleges that forfeiture of the assets which are the subject matter of this proceeding also is appropriate due to violations by a group of persons, as more fully identified in the Affidavit, acting as a criminal conspiracy and criminal enterprise which, in addition to the statute cited in Paragraph 4, also violated 18 U.S.C. §§ 215, 656, and 1005, all of which also will support forfeiture of the underlying subject property.

5. One Bank admits Paragraph 5 of the Complaint.

6. One Bank believes that the facts as stated in the supporting Affidavit are materially correct, and accordingly, admits paragraph 6 of the Complaint.

7. One Bank affirmatively states that the property which is the subject matter of this action should be forfeited to the United States. Out of the forfeited property, One Bank should be allowed recovery in the amounts owed to it, as set forth in its Verified Claim filed herein on September 18, 2013, with One Bank's claims totaling \$14,325,693.64¹ as of September 18, 2013.

8. One Bank reserves its right to plead further after further investigation and discovery.

WHEREFORE, One Bank & Trust prays that the Court order forfeiture of the underlying subject matter of this action as set forth in the Complaint, that its Verified Claim be allowed in full, and for all proper relief.

¹ One Bank has recently discovered that its Verified Claim (Doc. No. 11) filed herein contained a calculation error in stating a total claim amount of \$14,246,853.87. Accordingly, One Bank will be promptly filing an Amended and Restated Verified Claim in this matter correcting the calculation of One Bank's claims, which total \$14,325,693.64 as of September 18, 2013.

Respectfully submitted,

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By: /s/Stewart Headlee

Stewart Headlee

Ark. Bar No. 2003091

Gregory M. Hopkins

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CERTIFICATE OF SERVICE

I, Stewart Headlee, hereby certify that on September 24, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which shall send notification of such filing to the following:

Christopher O. Parker, Esq.
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AND ALL OTHERS REQUESTING NOTICE OF CM/ECF FILINGS.

/s/Stewart Headlee
Stewart Headlee